

OCT 06 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 03-1119)

In re Application of:	)	
	)	Examiner: B. Fetterolf
Wu et al.	)	
	)	Group Art Unit: 1642
Serial No.: 10/749,323	)	
	)	Fax No.: 571-273-8300
Filed: December 31, 2003	)	
	)	No. Of Pages: 4
Title: Astragalus Radix Codonopsis Pilosulae	)	
Radix Mixed Extract for Inhibiting	)	
Carcinogenesis and Metastasis	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FACSIMILE TRANSMITTAL LETTER

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:
  - a. Response to the Notice of Non-Compliant Amendment
2. With respect to fees:
  - a. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being transmitted to the USPTO facsimile number 571-273-8300, according to 37 CFR 1.6(d) addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 6, 2006.

Respectfully submitted,

Date: October 6, 2006

By :

  
A. Blair Hughes  
Reg. No. 32,901

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OCT 06 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**(CASE No. 03-1119)**

In Re Application of:  
Wu et al.

Confirmation No.: 1770

Serial No.: 10/749,323

Group Art Unit: 1642

Filing Date: December 31, 2003

Examiner: B. Fetterolf

Title: Astragalus Radix Codonopsis Pilosulae Radix Mixed  
Extract for Inhibiting Carcinogenesis and Metastasis

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Sir:

This is a response to the September 29, 2006 Notice Of Non-Complaint Amendment for the above-caption patent application. In the Notice, the Examiner indicated that the Reply to the February 28, 2006 Official Action filed on June 26, 2006 for this case was non-compliant because claim 1 did not provide the proper status identifier.

Attached to this Response is a revised "Amendments to the Claims" section including the status of all application claims 1-13.

Respectfully submitted,

**MCDONNELL BOEHNEN**  
**HULBERT & BERGHOFF LLP**

Date: October 6, 2006

By: 

**A. BLAIR HUGHES**  
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